

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

**ORDER**

APPLICATION 13829

PERMIT 8347

LICENSE 4092

ORDER ALLOWING CHANGE IN POINT OF DIVERSION

WHEREAS:

1. License 4092 was issued to Peter A. Franchi and was filed with the County Recorder of El Dorado County on May 10, 1955.
2. License 4092 was subsequently assigned to Richard C. Payne and Ruth L. Payne.
3. A petition for change in point of diversion, has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.
4. The Board has determined that the petitioned change does not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The point of diversion under this license shall be as follows:

North 1,200 feet and East 2,850 feet from SW corner of Section 20, T11N, R16E, MDB&M, being within the SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section 20.

Dated: JULY 1 1985

*Raymond Walsh*

Raymond Walsh, Chief  
Division of Water Rights



STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RESOURCES  
STATE ENGINEER

## License for Diversion and Use of Water

APPLICATION 13829

PERMIT 8347

LICENSE 4092

THIS IS TO CERTIFY, That

Peter A. Franchi  
5209 22nd Avenue  
Sacramento, California

Notice of Assignment (Over)

made proof as of August 11, 1953,  
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of  
an unnamed spring in El Dorado County

tributary to South Fork American River

for the purpose of domestic use

under Permit 8347 of the Department of Public Works and that said right to the use of said water has  
been perfected in accordance with the laws of California, the Rules and Regulations of the Department of Public Works  
and the terms of the said permit; that the priority of the right herein confirmed dates from July 5, 1950;  
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited  
to the amount actually beneficially used for said purposes and shall not exceed two hundred (200) gallons  
per day to be diverted from about April 1 to about November 15 of each year.

The point of diversion of such water is located north four hundred forty (440) feet and west  
one thousand (1000) feet from S $\frac{1}{4}$  corner of Section 20, T 11 N, R 16 E, MDB&M, being  
within SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section 20.

A description of the lands or the place where such water is put to beneficial use is as follows:

Lot 19 of 36 mile stone tract, Eldorado National Forest, being within SE $\frac{1}{4}$  of SW $\frac{1}{4}$   
of Section 20, T 11 N, R 16 E, MDB&M

All rights and privileges under this license including method of diversion, method of use and quantity of water  
diverted are subject to the continuing authority of the Department acting through the State Engineer in accordance  
with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or  
unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time  
to time by the State Engineer.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein  
specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein conferred subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Department.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

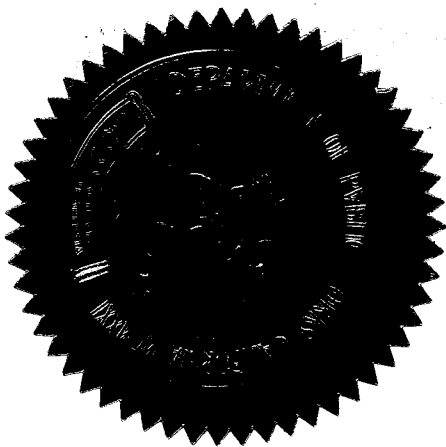
Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property can not agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Witness my hand and the seal of the Department of Public  
Works of the State of California, this 9th day of May, 1955

A. D. EDMONSTON, State Engineer

By   
HARVEY O. BANKS  
Assistant State Engineer



9/30/60 RECEIVED NOTICE OF ASSIGNMENT TO John C. Lagomarsino,  
Alice P. Lagomarsino + Doreen M. Lloyd

3-26-70 RECEIVED NOTICE OF ASSIGNMENT TO William A. + Constance J. Kelly;

9-8-71 RECEIVED NOTICE OF ASSIGNMENT TO Richard C. and Ruth L. Payne

LICENSE 4092

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RESOURCES  
STATE ENGINEER

LICENSE  
TO APPROPRIATE WATER

ISSUED TO Peter A. Franchi

DATED MAY 9 1955

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